

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

v.

DAMIAN ANTONIO MURPHY,

Defendant.

)
)
) Case No. 1:06CR00062-1
)

) **OPINION**
)

) By: James P. Jones
) United States District Judge
)

Damian Antonio Murphy, Pro Se Defendant.

On August 19, 2016, the court docketed defendant Damian Antonio Murphy's letter about his convictions and sentences for conspiring to distribute a controlled substance and possessing counterfeit obligations or other securities of the United States. (ECF No. 317.) The court conditionally filed the letter on September 2, 2016, as a Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 and ordered Murphy to file a form § 2255 motion within fifteen days. (ECF No. 318.) The court noted that a failure to comply would result in dismissal of the conditionally filed § 2255 motion without prejudice. (*Id.* at 3.)

More than fifteen days have passed, and Murphy has not responded to the court's order. Accordingly, I will dismiss the conditionally-filed § 2255 motion without prejudice.

DATED: October 14, 2016

/s/ James P. Jones

United States District Judge